

AMENDED IN SENATE MAY 27, 2005

SENATE BILL

No. 352

Introduced by Senator Scott

February 16, 2005

An act to add and repeal Article 4.8 (commencing with Section 44518) of Chapter 3 of Part 25 of the Education Code, relating to employee training programs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 352, as amended, Scott. Chief Business Officer Training Program.

Existing law establishes various training programs for employees of school districts.

This bill would establish, within the State Department of Education, the Chief Business Officer Training Program, to be administered by the Superintendent of Public Instruction, with the approval of the State Board of Education.

The bill would authorize the superintendent to award funding to school districts and to county offices of education, to provide ~~chief business officers~~ *eligible training candidates*, as defined, with instruction and training in the areas of school finance, school operations, and leadership. The bill would authorize the superintendent to award funding to a school district or to a county office of education, individually, or in partnership with one more institutions of higher learning, that have submitted a program proposal, as specified, to the State Board of Education.

The bill would require the board, by September 15, 2005, to commence the process of developing rigorous criteria for the approval of state-qualified training providers.

The bill would require the State Department of Education, by July 1, ~~2008~~ 2007, to develop, subject to the review and approval of the State Board of Education, an interim report for submission to the Legislature regarding the status of the program established pursuant to this measure, as specified, and would require the board to submit the report to the Legislature ~~by _____ no later than September 30, 2007.~~ The bill would require the State Department of Education, by June 30, ~~2009~~ 2008, to develop, subject to the review and approval of the State Board of Education, a final report for submission to the Legislature regarding the status of the program established pursuant to the bill, as specified, and would require the board to submit the report to the Legislature ~~by _____ no later than August 31, 2008.~~

The bill would provide that its provisions are to become inoperative on July 1, ~~2010~~ 2009, and are repealed as of January 1, ~~2011~~ 2010.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 4.8 (commencing with Section 44518) is added to Chapter 3 of Part 25 of the Education Code, to read:

Article 4.8. Chief Business Officer Training Program

44518. (a) This article shall be known and may be cited as the Chief Business Officer Training Program.

(b) For purposes of this article, ~~“chief business officer”~~ “eligible training candidate” means a person who is employed on a full-time basis as a chief business or financial officer by a school district or county office of education, or who is *nominated* as a candidate ~~in for training for one of those positions pursuant to a nomination~~ by a district or a county office of education.

44518.1. The Chief Business Officer Training Program is hereby created within the department and shall be administered by the superintendent, with the approval of the State Board of Education.

44518.2. The superintendent shall award incentive funding to school districts and to county offices of education, upon the

1 appropriation of funds by the Legislature for purposes of this
2 article, to provide ~~chief business officers~~ “*eligible training*
3 *candidates*” with instruction and training in areas including, but
4 not limited to, all of the following:

5 (a) School finance, including revenue projection, cashflow
6 management, budget development, financial reporting,
7 monitoring controls, and average daily attendance projections
8 and accounting.

9 (b) School operations, including matters relating to facilities,
10 maintenance, transportation, food services, collective bargaining,
11 risk management, and purchasing.

12 (c) Leadership, including organizational dynamics,
13 communication, facilitation, and presentation.

14 44518.3. (a) In order to qualify for and to receive incentive
15 funding for purposes of this article, a school district or county
16 ~~office of education, individually or in partnership with one or~~
17 ~~more institutions of higher education or other education entities,~~
18 ~~shall submit a program proposal to the State Board of Education.~~
19 ~~The program proposal shall contain an expenditure plan and shall~~
20 ~~specify the manner in which the training program for which~~
21 ~~funding is being requested addresses the program goals specified~~
22 ~~in subdivisions (a) to (c), inclusive, of Section 44518.2: office of~~
23 ~~education shall submit to the department an application to~~
24 ~~participate in the Chief Business Officer Training Program.~~

25 (b) The state board shall approve the program proposal
26 submitted pursuant to subdivision (a).

27 44518.4. A school district or county office of education that
28 receives funding pursuant to this article to offer training shall use
29 a state-qualified training provider that has been approved by the
30 State Board of Education.

31 44518.5. By September 15, 2005, the State Board of
32 Education shall commence the process of developing rigorous
33 criteria for the approval of state-qualified training providers. The
34 state board shall develop the criteria in consultation with the
35 Fiscal Crisis and Management Assistance Team, the department,
36 and, at the discretion of the state board, any other individual or
37 group with expertise in the areas set forth in subdivisions (a) to
38 (c), inclusive, of Section 44518.2.

39 44518.6. A training program offered pursuant to this article
40 shall be conducted for no fewer than ~~100~~ 200 hours, a minimum

1 of ~~50~~ 40 hours of which shall involve intensive individualized
2 support and professional development in the areas specified in
3 subdivisions (a) to (c), inclusive, of Section 44518.2. ~~A chief~~
4 ~~business officer may complete the 50~~ The 40 hours of intensive
5 individualized support and professional development *shall be*
6 *completed* within a period of up to two years after the date the
7 training commences.

8 44518.7. Funding provided pursuant to this article is intended
9 to serve ~~350 chief business officers~~ *eligible training candidates*
10 per fiscal year. Priority for enrollment shall be given to ~~chief~~
11 ~~business officers eligible training candidates~~ from districts that
12 are currently operating with a state-appointed administrator or
13 trustee, or from districts that have received a negative or
14 qualified budget certification within the past five fiscal years.

15 ~~44518.8. (a) A school district or county office of education~~
16 ~~is eligible to receive funding to train one chief business officer.~~

17 ~~(b) If all of the funding appropriated for this article is not~~
18 ~~expended in a fiscal year, the funding may be redistributed on a~~
19 ~~pro rata basis for chief business officers from school districts or~~
20 ~~county offices of education serving the highest number of pupils~~
21 ~~based on the most recent enrollment data.~~

22 ~~44518.9.—~~

23 44518.8. (a) Funding allocated for purposes of this article
24 shall not exceed three thousand dollars (\$3,000) per ~~chief~~
25 ~~business officer~~ *eligible training candidate*. This funding shall be
26 ~~received by a~~ *allocated to a qualified* school district or county
27 office of education ~~in accordance with the specifications~~
28 ~~contained in the program proposal of the school district or the~~
29 ~~county office of education, as approved by the State Board of~~
30 ~~Education. as follows:~~

31 *(1) Fifty percent of the authorized funding shall be provided*
32 *no later than 30 days after the approval of the application.*

33 *(2) Fifty percent of the authorized funding shall be provided*
34 *upon verification of the successful completion of training by the*
35 *approved candidates.*

36 (b) If it is determined pursuant to an audit that a participating
37 school district or county office of education did not provide
38 training as described in Sections 44518.2 and 44518.7 to ~~a chief~~
39 ~~business officer~~ *an eligible training candidate* for whom it
40 received funding, the superintendent shall withhold from the next

principal apportionment to the school district or county office of education the sum of three thousand dollars (\$3,000) for each ~~chief business officer~~ *eligible training candidate* who did not receive the training.

(c) The state board shall establish a procedure and criteria for school districts and county offices of education to appeal to the board the finding of an audit pursuant to this article. The state board may reduce or eliminate the amount to be withheld pursuant to subdivision (b) based on that appeal.

44519. By July 1, ~~2008~~ 2007, the department shall develop, subject to the review by, and the approval of, by the State Board of Education, an interim report for submission to the Legislature regarding the status of the program established pursuant to this article. The board shall submit the interim report to the Legislature by _____ *no later than September 30, 2007*. The interim report shall, at a minimum, include detailed information as to all of the following:

(a) The number of ~~chief business officers~~ *eligible training candidates* who received training offered pursuant to this article.

(b) The entities that received funds for the purpose of offering training pursuant to this article, and the number of ~~chief business officers~~ *eligible training candidates* that each entity trained.

(c) Data regarding the budget certification status of each school district and county office of education participating in the program, and identification of each school district and county office of education with negative or qualified budget certifications that did not receive training.

(d) *Information detailing the employment and retention status of eligible training candidates who participated in training pursuant to this article.*

44519.1. By June 30, ~~2009~~ 2008, the department shall develop, subject to review and approval by the State Board of Education, a final report for submission to the Legislature regarding the program established pursuant to this article. The board shall submit the final report to the Legislature by _____ *no later than August 31, 2008*. The final report shall, at a minimum, include detailed information as to all of the following:

(a) The number of ~~chief business officers~~ *eligible training candidates* who received training offered pursuant to this article.

(b) The entities that received funds for the purpose of offering training pursuant to this article and the number of ~~chief business officers~~ *eligible training candidates* that each trained.

(c) Data regarding the budget certification status for each school district and county office of education whose ~~chief business officer~~ *eligible training candidate* attended the training, and identification of each district and office with negative or qualified budget certifications whose ~~chief business officer~~ *eligible training candidate* did not receive the training.

(d) Survey data concerning program effectiveness that has been gathered from program participants.

(e) Information detailing the *employment and retention rate of* ~~chief business officers~~ *status of eligible training candidates* who participated in training offered pursuant to this article.

44519.2. This article shall become inoperative on July 1, 2010 2009, and, as of January 1, 2011 2010, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2011 2010, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that those responsible for the business and financial matters of school districts; *or* county offices of education are properly trained and qualified at the earliest possible time, and that rigorous criteria for the approval of state-qualified training providers are established at the earliest possible time, it is necessary that this act take effect immediately.